

REMARKS

Applicants appreciate the detailed examination, evidenced by the final Office Action mailed December 7, 2005 (hereinafter "final Office Action"). Applicants further appreciate the continuing indication that Claims 11-14 recite patentable subject matter, and the identification of the inadvertent errors in Claim 1. Applicants have amended Claim 1 to correct the noted errors, and respectfully request entry of this amendment, as it raises no new issues and places Claim 1 in condition for allowance or, in the alternative, in better form for appeal. Applicants respectfully request reconsideration and withdrawal of the rejections of Claims 1, 4-10, 15 and 16. In the interest of brevity, Applicants remarks herein focus on the basis provided for the rejections of the independent claims in the final Office Action, and incorporate by reference Applicants' remarks presented in the Amendment filed September 21, 2005.

Independent Claims 1, 6, 9, and 15 stand rejected under 35 U.S.C. § 103 as being unpatentable over alleged admitted prior art ("Admission") and U.S. Patent No. 5,828,612 to Yu et al. ("Yu"). Applicants note that, to establish a *prima facie* case of obviousness, the prior art reference or references when combined must teach or suggest *all* the recitations of the claims, and there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. *See* M.P.E.P. § 2143. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. *See* M.P.E.P. § 2143.01(citing *In re Mills*, 916 F.2d 680, 16 U.S.P.Q.2d 1430 (Fed. Cir. 1990)). As emphasized by the Court of Appeals for the Federal Circuit, to support combining references, evidence of a suggestion, teaching, or motivation to combine must be ***clear and particular***. *In re Dembiczak*, 50 U.S.P.Q.2d 1614, 1617 (Fed. Cir. 1999). In another decision, the Court of Appeals for the Federal Circuit has stated that, to support combining or modifying references, there must be ***particular*** evidence from the prior art as to the reason the skilled artisan, with no knowledge of the claimed invention, would have selected these components for combination ***in the manner claimed***. *In re Kotzab*, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000). Applicants respectfully submit that the final Office Action does not meet these requirements.

Claim 1 recites, in part:

. . . a precharge control signal generator circuit that receives the column bank address signal, that generates first and second delayed signals from the column address bank signal that are delayed by respective different first and second time periods with respect to the column bank address signal, and that applies to the precharge circuit, responsive to a precharge delay control signal, a selected one of a first precharge control signal generated from the first delayed signal and a second precharge control signal generated from the second delayed signal; and
a precharge delay control circuit that generates the precharge delay control signal responsive to the write enable signal.

Applicant notes that the Background of the Invention section ("Background") of the present application clearly does not disclose or suggest a memory device in which a precharge control signal generator circuit "generates first and second delayed signals from the column address bank signal that are delayed by respective different first and second time periods with respect to the column bank address signal" and "a first precharge control signal generated from the first delayed signal and a second precharge control signal generated from the second delayed signal." Although Yu describes providing different precharge timings for write and read cycles, Yu describes generating these different precharge timings in a manner that is distinctly different from that recited in the claims, i.e., in a manner that does not involve "first and second delayed signals from the column address bank signal that are delayed by respective different first and second time periods with respect to the column bank address signal" and "a first precharge control signal generated from the first delayed signal and a second precharge control signal generated from the second delayed signal." See, e.g., Yu, Figs. 3 and 4 and accompanying description thereof at columns 6-9.

Thus, Yu and the Background, taken alone or individually, do not teach or suggest the feasibility or desirability of providing different precharge timings in the manner recited in Claim 1, which constitutes an *alternative* to the manner of generating different read and write precharge timings described in Yu. The mere fact that Yu describes generation of different precharge timings is not clear and particular evidence of a teaching or suggestion to modify the device described in the Background *in the specific manner recited in Claim 1*, as neither Yu nor the background disclose or suggest this specific approach. Rather, Applicants submit that one of ordinary skill in the art, applying Yu to the device described in the Background,

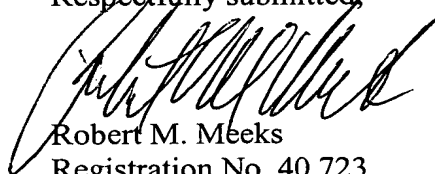
would create a device using a precharge timing technique such as that described in Yu, which would not coincide with the recitations of Claim 1. The reasoning provided on pages 4 and 7 of the final Office Action as a basis for modifying the device described in the Background, namely, that "it would have been obvious to . . . modify the device and the related method of Admission to generate a second precharge control signal responsive to the bank address signal" (Office Action, p. 4), is an improper hindsight reconstruction, as neither reference makes such a suggestion. Rather, as noted above, Yu, the references that describes the desirability of different precharge timings, makes a *different* suggestion.

For at least these reasons, Applicants submit that there is no evidence from the prior art of a motivation or suggestion to combine the device described in the Background with the precharge signal generating circuitry shown in Yu to provide the recitations of Claim 1, and that, even if the device described in the Background were to be combined with Yu, the result would not correspond to the recitations of Claim 1. Accordingly, Applicants respectfully request withdrawal of the rejections of Claim 1 and the claims depending therefrom. Applicants further request withdrawal of the rejections of independent Claims 6, 9 and 15, and the claims depending therefrom for at least similar reasons.

Conclusion

Applicants have overcome the objection to Claim 1, and submit that the rejections of the claims should be withdrawn for at least the reasons discussed above. Applicants submit that the claims are in condition for allowance, which is respectfully requested. Applicants encourage the Examiner to contact the undersigned by telephone to resolve any remaining issues.

Respectfully submitted,



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